IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.BALAKRISHNAN NAIR

TUESDAY, THE 24TH JULY 2007 / 2ND SRAVANA 1929

OP.No. 29236 of 2001(E)

PETITIONER:

K.K.GEORGEKUTTY, S/O.KUNCHERIAH,
LOWER DIVISION CLERK,
PRIMARY HEALTH CENTRE,
KALAKETTY, KOTTAYAM (DIST.)

BY ADV. SRI.JOSY ANTONY

RESPONDENTS:
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1. SECRETARY TO THE HEALTH DEPARTMENT,
GOVERNMENT SECRETARIAT,
THIRUVANANTHAPURAM.

2. DIRECTOR OF HEALTH SERVICES,
THIRUVANANTHAPURAM.

3. THE DISTRICT MEDICAL OFFICER,
KOTTAYAM.

4. THE MEDICAL OFFICER,
PRIMARY HEALTH CENTRE,
KALAKETTY, KOTTAYAM DISTRICT.

BY GOVERNMENT PLEADER, SRI.P.NANDAKUMAR

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 24/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

JUDGMENT

NO REPRESENTATION. THE ORIGINAL PETITION IS DISMISSED FOR DEFAULT.

24/7/07. SD/- K.BALAKRISHNAN NAIR, JUDGE

ORDER ON CMP NO.47536 OF 2001 IN OP NO.29236 OF 2001

DISMISSED.

24/7/07. SD/- K.BALAKRISHNAN NAIR, JUDGE

/TRUE COPY/

P.A. TO JUDGE

JP

KURIAN JOSEPH, J.

O.P.NO.29236 OF 2001

Dated 30th November, 2007.

J U D G M E N T

Petitioner approached this court aggrieved by the proceedings initiated by the second respondent. He has pursued his grievance before the Government as per Ext.P5. Referring to various decisions of this court, learned counsel for the petitioner submits that the punishment imposed on the petitioner without serving a copy of the enquiry report is to be totally ignored. It is further contended that so far no orders have been passed with regard to the pay and allowances payable to the petitioner for the period he was kept out of service, during the pendency of disciplinary proceedings. Since the petitioner has pursued his grievance before the Government, it is only appropriate that the Government considers all his contentions. The Government is directed to look into Ext.P5 with notice to the petitioner and pass appropriate order thereon in accordance with law within two months from the date of production of a copy of the judgment. It will also be open to the petitioner to file a

supplementaty representation.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.NO.29236 OF 2001

J U D G M E N T

Dated 30th November, 2007.